

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for JUNE 7, 2006 PLANNING COMMISSION MEETING

PROJECT #: Preliminary Plat #06007, Gale Addition

PROPOSAL: Residential subdivision for 18 single-family lots and 4 attached single-family lots.

LOCATION: N. 10th St. and Morton St.

WAIVER REQUEST: No waivers have been requested.

LAND AREA: 4.07 acres, more or less

CONCLUSION: The proposed subdivision is in conformance with the comprehensive plan. With conditions the subdivision is in conformance with the Land Subdivision Ordinance and the Zoning Ordinance.

<u>RECOMMENDATION:</u>	Conditional Approval
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GENERAL INFORMATION:

LEGAL DESCRIPTION: Lot 3, Grove Park, located in the Northeast 1/4 of Section 2, Township 10, Range 6 East, Lancaster County, NE.

EXISTING ZONING: R-3 Residential

EXISTING LAND USE: Open Space

SURROUNDING LAND USE AND ZONING:

North:	AG-Agricultural	Interstate 80 and single-family homes on acreages
South:	R-1 Residential	Single-family homes on acreages
East:	R-3 Residential	Attached single-family and single-family.
West:	R-3 Residential	Single-family home on an acreage and Interstate 80

ASSOCIATED APPLICATIONS: Annexation #06010

COMPREHENSIVE PLAN SPECIFICATIONS:

Maximize the community's present infrastructure investment by planning for residential and commercial development in areas with available capacity. (F-17)

Encourage different housing types and choices, including affordable housing, throughout each neighborhood for an increasingly diverse population. (F-18)

The Lincoln/Lancaster County Land Use Plan identifies this area as residential urban and within the future service limit. (F-23)

"Affordable housing should be distributed throughout the region to be near job opportunities and to provide housing choices within every neighborhood. Preserve existing affordable housing and promote the creation of new affordable housing throughout the community." (F-65)

Guiding principles for new neighborhoods includes:

1. Similar housing types face each other: single family faces single family, change to different use at rear of lot;
2. Parks and open space within walking distance to all residences;
3. Pedestrian orientation; shorter block lengths, sidewalks on both sides of all roads (F-67)

Continue the City's growth policy of contiguous urban growth. Urban development will occur in areas immediately abutting the city that reflect a logical and timely extension of urban infrastructure. (F 75)

HISTORY:

June 9, 2003 Annexation #03000, Preliminary Plat #02020 and Special Permit #1991, Pinecrest CUP was approved by the City Council for the land adjacent to the east.

The zoning was changed from A-2, Single-Family Residential to R-3, Residential in the 1979 zoning update.

UTILITIES: All utilities are available to serve this development.

TOPOGRAPHY: The ground slopes gradually from west to east.

TRAFFIC ANALYSIS: Morton St. is a gravel rural cross section road adjacent this development. Morton St. is an urban street with curb and gutter from N. 14th St. to this site.

PUBLIC SERVICE: The nearest elementary schools are Belmont, located at 3425 N. 14th St. and Campbell, located at 2200 Dodge St. A new elementary school is planned at N. 14th St. and Alvo Rd.

The nearest fire stations are Station 14, located at 5435 NW 1st St. and Station 10 located at 1440 Adams St.

ENVIRONMENTAL CONCERNS: Loss of many mature trees.

ANALYSIS:

1. This request is to preliminary plat 18 single-family lots and 4 attached single-family lots on approximately 4 acres.
2. There is existing residential development to the east-northeast and acreage lots to the south and west. Interstate 80 is north-northwest of the proposed development.
3. All utilities are readily available to serve this area.
4. The rear of two lots abut Interstate 80. Although not a requirement of the Land Subdivision Ordinance, provisions should be put in place such as, earthen berms, landscaping or a sound wall to provide an appropriate buffer that will protect future homeowners from Interstate 80 noise pollution. The rear of the lots will be required to be screened from the interstate and street trees are required to be planted on private property adjacent the interstate.
5. There is a row of mature trees in the eastern portion of the lot. These trees appear to be in the center of the lots on the east side of N. 9th St. and therefore most likely will be removed.

CONDITIONS OF APPROVAL:

Site Specific:

1. After the subdivider completes the following instructions and submits the documents and plans and 6 copies to the Planning Department office, the preliminary plat will be signed by the Chair of the Planning Commission certifying approval: (NOTE: These documents and plans are required by ordinance or design standards.)
 - 1.1 Revise the preliminary plat to show:
 - 1.1.1 Remove the building envelopes from the site plan.
 - 1.1.2 Lots 12 and 13 must have a minimum lot depth of 110 feet.

- 1.1.3 Change N. 9th St. to N. 9th Circle or Court.
- 1.1.4 Show a symbol identifying the common lot line for the single-family attached lots.
- 1.1.5 Delete the City Clerk signature block.
- 1.1.6 Delete Community Unit Plan, Use Permit, and Special Permit in the Planning Commission Approval. Add a signature line for the Chair of the Planning Commission.
- 1.1.7 Delete the density calculations. It is not required for a preliminary plat.
- 1.1.8 Delete Notes 1, 3, and 6.
- 1.1.9 Delete the first sentence in Note 5.
- 1.1.10 Delete the second sentence in Note 8.
- 1.1.11 Show the existing buildings on Lot 51 and dimension the building from the east lot line of Lot 51.
- 1.1.12 Show screening along the rear lot line of Lots 12 and 13.
- 1.1.13 Show the location, size and common name of all existing trees within and adjacent to the subdivision on the landscape plan. Identify which existing trees are scheduled to be removed.
- 1.1.14 Show utility easements as requested by LES memo of May 12, 2006.
- 1.1.15 Revise the site plan showing the detention cell on an outlet.
- 1.1.16 Make corrections to the satisfaction of Public Works and Utilities Department per their memo of May 22, 2006.
- 1.1.17 Change the acres to square feet for each lot.

2. The City Council approves associated request:

2.1 Annexation #06010

General:

3. Final Plats will be approved by the Planning Director after:

3.1 The required improvements are completed or a surety is posted to guarantee the completion of the public streets, sidewalks, sanitary sewer system, water system, drainage facilities, land preparation and grading, sediment and erosions control measures, storm water detention/retention facilities, drainageway improvements, street lights, landscaping screens, street trees, temporary turnaround and barricades, and street name signs.

3.2 The subdivider has signed an agreement that binds the subdivider, its successors and assigns:

to complete the street paving of public streets, and temporary turnarounds and barricades located at the temporary dead-end of the streets shown on the final plat within two (2) years following the approval of this final plat.

to complete the installation of sidewalks along both sides of N. 9th St. and along the north side of Morton St. as shown on the final plat within four (4) years following the approval of this final plat.

to complete the public water distribution system to serve this plat within two (2) years following the approval of this final plat.

to complete the public wastewater collection system to serve this plat within two (2) years following the approval of this final plat.

to complete the enclosed public drainage facilities shown on the approved drainage study to serve this plat within two (2) years following the approval of this final plat.

to complete land preparation including storm water detention/retention facilities and open drainageway improvements to serve this plat prior to the installation of utilities and improvements but not more than two (2) years following the approval of this final plat.

to complete the installation of public street lights along streets within this plat within two (2) years following the approval of this final plat.

to complete the planting of the street trees along N. 9th St. and the north side of Morton St. within this plat within four (4) years following the approval of this final plat.

to complete the planting of the landscape screen within this plat within two (2) years following the approval of this final plat.

to complete the installation of the street name signs within two (2) years following the approval of this final plat.

to complete the installation of the permanent markers prior to construction on or conveyance of any lot in the plat.

to timely complete any other public or private improvement or facility required by Chapter 26.23 (Development Standards) of the Land Subdivision Ordinance which have not been waived but which inadvertently may have been omitted from the above list of required improvements.

to submit to the Director of Public Works a plan showing proposed measures to control sedimentation and erosion and the proposed method to temporarily stabilize all graded land for approval.

to comply with the provisions of the Land Preparation and Grading requirements of the Land Subdivision Ordinance.

to complete the public and private improvements shown on the preliminary plat.

to maintain the outlots and private improvements on a permanent and continuous basis.

to maintain and supervise the private facilities which have common use or benefit on a permanent and continuous basis, and to recognize that there may be additional maintenance issues or costs associated with providing for the proper functioning of storm water detention/retention facilities as they were designed and constructed within the development.

to retain ownership of and the right of entry to the outlots in order to perform the above-described maintenance of the outlots and private improvements on a permanent and continuous basis. However, Owner(s) may be relieved and discharged of such maintenance obligations upon creating in writing a permanent and continuous association of property owners who would be

responsible for said permanent and continuous maintenance subject to the following conditions:

- (1) Owner shall not be relieved of Owner's maintenance obligation for each specific private improvement until a registered professional engineer or nurseryman who supervised the installation of said private improvement has certified to the City that the improvement has been installed in accordance with approved plans.
- (2) The maintenance agreements are incorporated into covenants and restrictions in deeds to the subdivided property and the documents creating the association and the restrictive covenants have been reviewed and approved by the City Attorney and filed of record with the Register of Deeds.

to submit to the lot buyers and builders a copy of the soil analysis.

to protect the trees that are indicated to remain during construction and development

Prepared by:

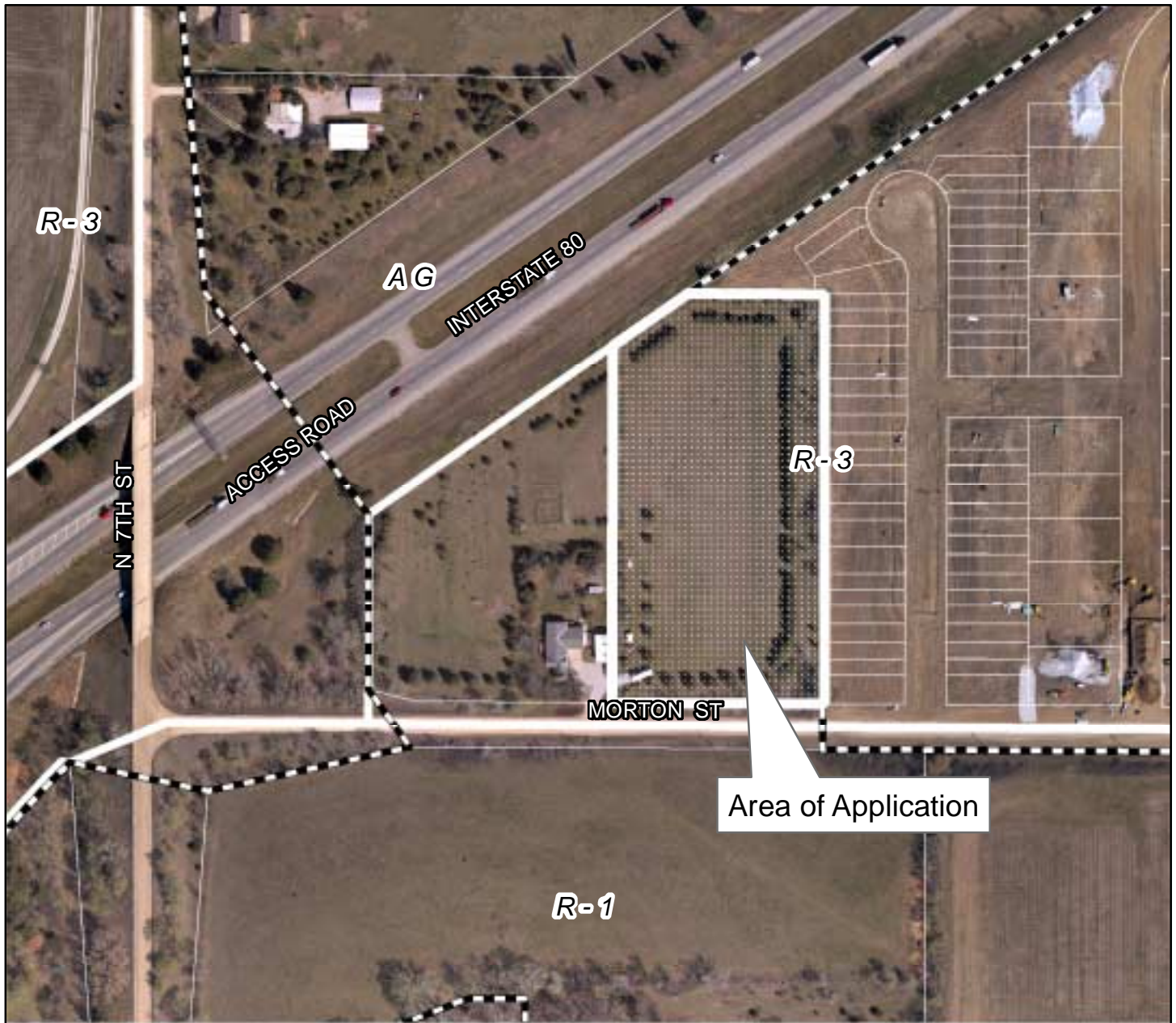
Tom Cajka
Planner

DATE: May 24, 2006

APPLICANT: Mike & Gale Poe
8701 Roca Rd.
Roca, NE 68430
(402) 792-2266

OWNER: same as applicant

CONTACT: Lyle Loth
ESP
601 Old Cheney Rd. Suite "A"
Lincoln, NE 68512
(402) 421-2500



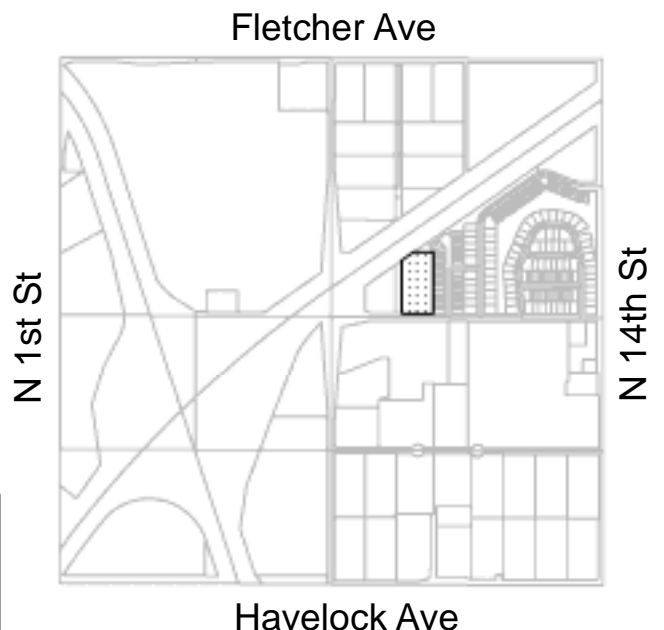
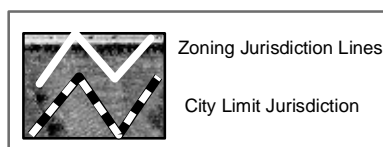
Preliminary Plat #06007 & Annexation #06010 **Gale Addition** **N 9th St & Morton St**

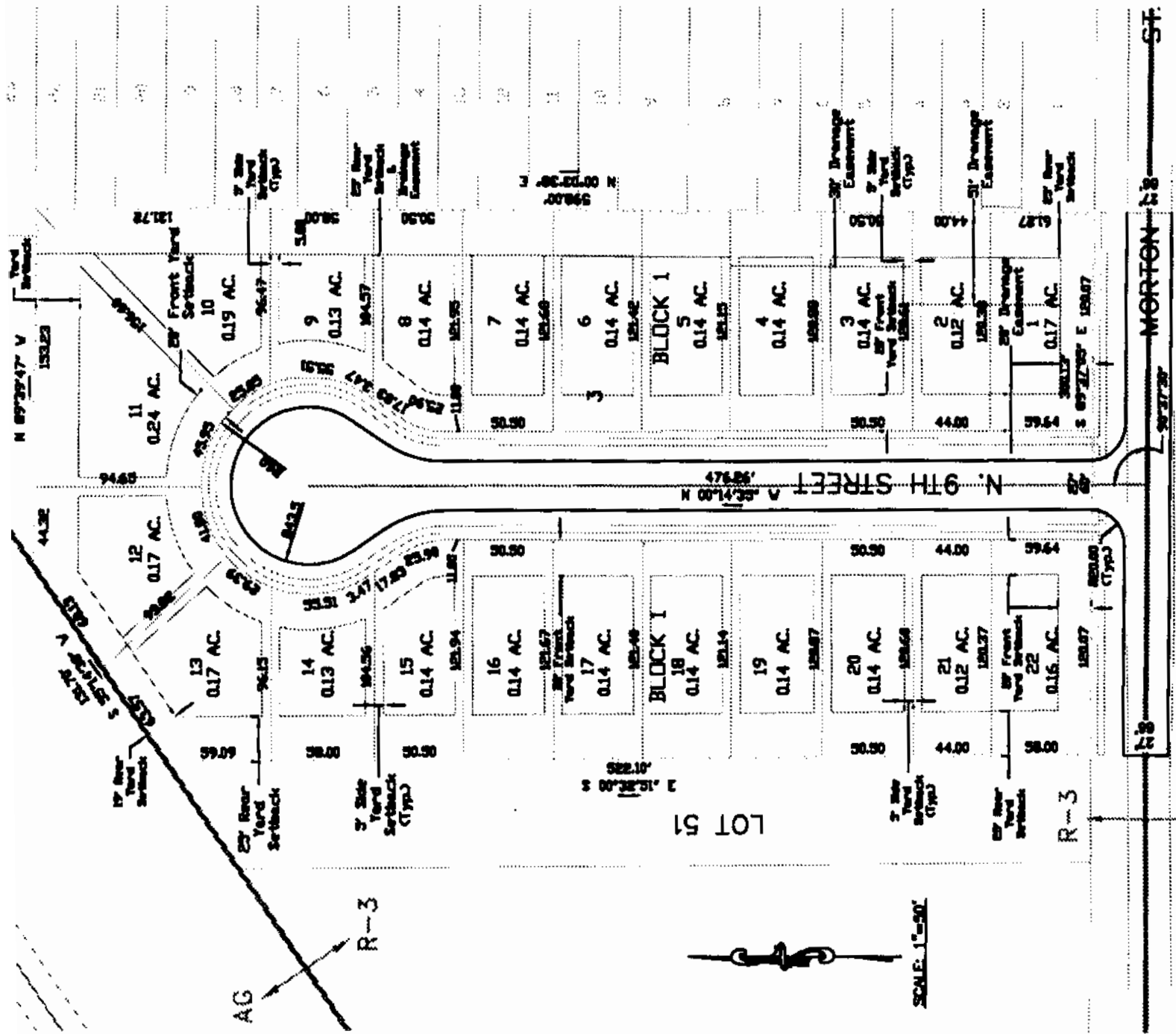
2005 aerial

Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
 Sec. 02 T10N R06E





AREA OF
PROJECT

4.0682 ac
Proposed

E.S.P.

CONSULTING
ENGINEERS

801 OLD
CHENEY RD.
SUITE 'A'
LINCOLN
NEBRASKA
68512

GALE
ADDITION

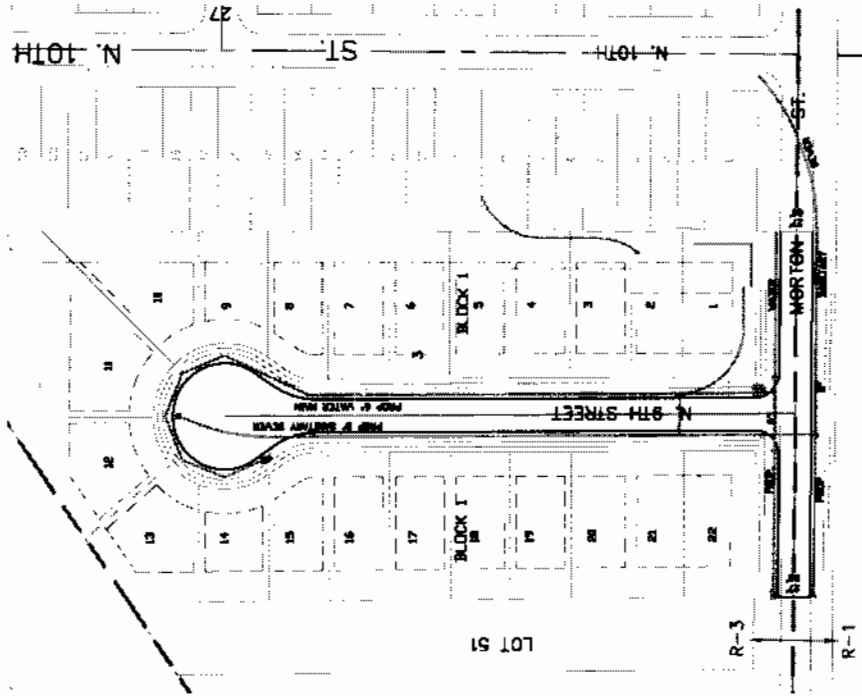
M 8th
STREET &
MORTON
STREET
LINCOLN
NEBRASKA

Drawn: KCL
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UTILITY
PLAN

Scale: 1"=40'
Proj: C/2006
Mortgage
Orig. Date:
04/28/2006
Revised:

2 of 5



NOTE:
Sanitary Sewer And Water Lines To Be
As Shown On This Plan Respectively, And To Be
Installed To The City Of Lincoln
Specifications

RECEIVE

MAY 3 - 2006

LINCOLN CITY/LANCASTER CO.
PLANNING DEPARTMENT

E.S.P.

CONSULTING
ENGINEERS

601 OLD
CHENEY RD.
SUITE 'A'
LINCOLN
NEBRASKA
68512

GALE
ADDITION

N 8TH
STREET &
MORTON
STREET
LINCOLN
NEBRASKA

Drawn: MCL
Rev:
App:

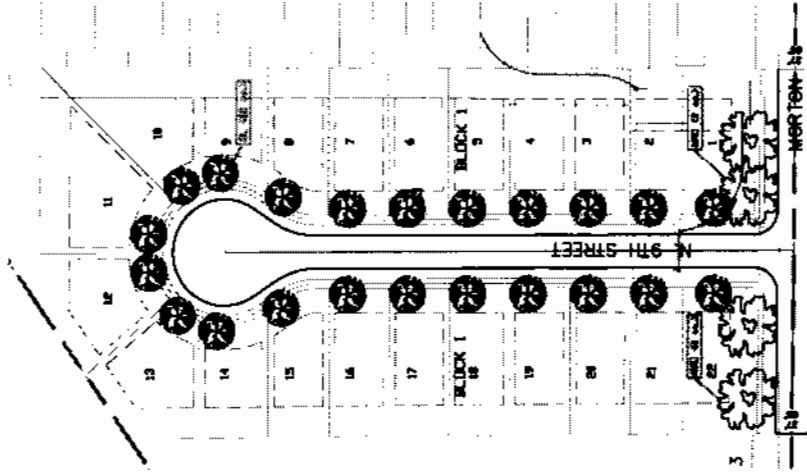
LANDSCAPE
PLAN

Scale: 1"=40'
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Design:
Date: 04/24/2006
Revised:

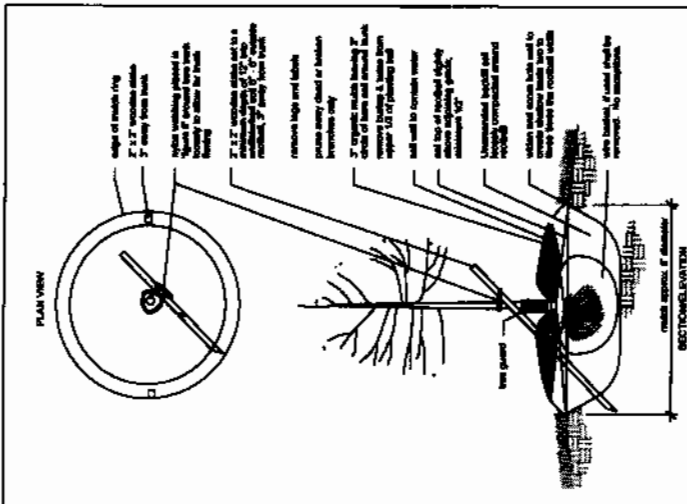
3 of 5

LANDSCAPE SCHEDULE

NO.	SYMBOL	PLANT	QUANTITY	REMARKS
1	(Symbol)	1" DB PLANT	1	
2	(Symbol)	2" DB PLANT	1	
3	(Symbol)	3" DB PLANT	1	
4	(Symbol)	4" DB PLANT	1	
5	(Symbol)	5" DB PLANT	1	
6	(Symbol)	6" DB PLANT	1	
7	(Symbol)	7" DB PLANT	1	
8	(Symbol)	8" DB PLANT	1	
9	(Symbol)	9" DB PLANT	1	
10	(Symbol)	10" DB PLANT	1	
11	(Symbol)	11" DB PLANT	1	
12	(Symbol)	12" DB PLANT	1	
13	(Symbol)	13" DB PLANT	1	
14	(Symbol)	14" DB PLANT	1	
15	(Symbol)	15" DB PLANT	1	
16	(Symbol)	16" DB PLANT	1	
17	(Symbol)	17" DB PLANT	1	
18	(Symbol)	18" DB PLANT	1	
19	(Symbol)	19" DB PLANT	1	
20	(Symbol)	20" DB PLANT	1	
21	(Symbol)	21" DB PLANT	1	
22	(Symbol)	22" DB PLANT	1	
23	(Symbol)	23" DB PLANT	1	
24	(Symbol)	24" DB PLANT	1	
25	(Symbol)	25" DB PLANT	1	
26	(Symbol)	26" DB PLANT	1	
27	(Symbol)	27" DB PLANT	1	
28	(Symbol)	28" DB PLANT	1	
29	(Symbol)	29" DB PLANT	1	
30	(Symbol)	30" DB PLANT	1	



- ADDITIONAL NOTES:
1. ALL PLANTING IS TO BE DONE BY THE CONTRACTOR. THE CITY ENGINEER WILL BE RESPONSIBLE FOR THE FINAL REVIEW AND APPROVAL OF THE PLAN.
 2. ALL PLANTING IS TO BE DONE BY THE CONTRACTOR. THE CITY ENGINEER WILL BE RESPONSIBLE FOR THE FINAL REVIEW AND APPROVAL OF THE PLAN.
 3. ALL PLANTING IS TO BE DONE BY THE CONTRACTOR. THE CITY ENGINEER WILL BE RESPONSIBLE FOR THE FINAL REVIEW AND APPROVAL OF THE PLAN.
 4. ALL PLANTING IS TO BE DONE BY THE CONTRACTOR. THE CITY ENGINEER WILL BE RESPONSIBLE FOR THE FINAL REVIEW AND APPROVAL OF THE PLAN.
 5. ALL PLANTING IS TO BE DONE BY THE CONTRACTOR. THE CITY ENGINEER WILL BE RESPONSIBLE FOR THE FINAL REVIEW AND APPROVAL OF THE PLAN.



DECIDUOUS TREE PLANTING DETAIL FOR STREET TREES

RECEIVED

MAY 3 - 2006

LINCOLN CITY/LANCASTER COUNTY
PLANNING DEPARTMENT

E.S.P.

CONSULTING
ENGINEERS

801 OLD
CHENEY RD.
SUITE 'A'
LINCOLN
NEBRASKA
68512

GALE
ADDITION

M. B. B.
STREET &
JANET
STREET
LINCOLN
NEBRASKA

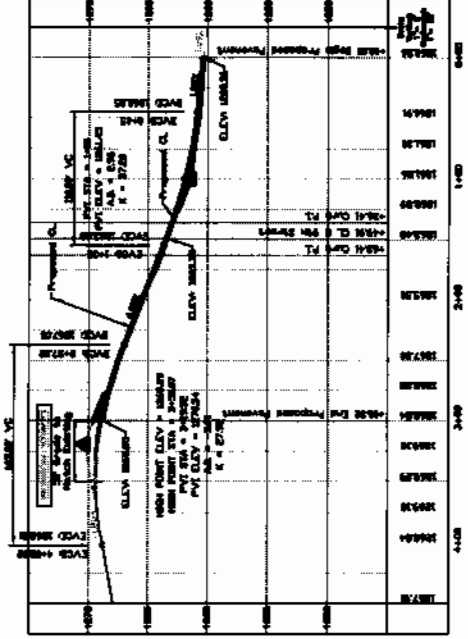
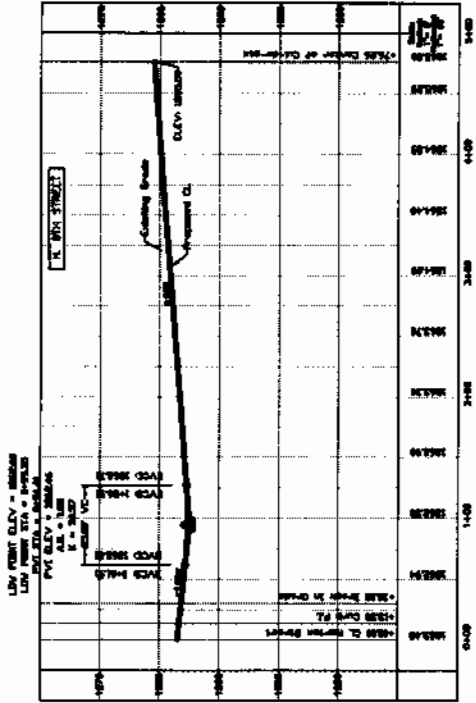
Drawn: M.L.
Rev:
App:

STREET
PROFILES

Scale: As Shown
Proj: E-1000
Job: M-1000
Date: 04/28/2006
Revised:

5 of 5

RECEIVED
MAY 3 - 2006
LINCOLN CITY/LANCASTER COUNTY
PLANNING DEPARTMENT





May 3, 2006

Mr. Marvin Krout
Director of Planning
City of Lincoln/ Lancaster County
555 South 10th Street
Lincoln, NE 68508

LYLE L. LOTH, P.E./L.S.

Suite A - 601 Old Cheney Road
Lincoln, NE 68512

Phone (402) 421-2500

Fax (402) 421-7096

Email: lyle@espeng.com

RE: GALE ADDITION PRELIMINARY PLAT

Dear Marvin,

On behalf of Mike & Gale Poe, we submit the above-mentioned applications for your review. Gale Addition is located on 9th Street north of Morton Street. The site contains approximately 4.07 acres and is zoned 'R-3'.

The project contains 18 single family and 4 single family attached lots/ dwelling units.

The site is surrounded by R-3 zoning on both sides with a single-family subdivision to the east and a single-family house on an acreage to the west, with an open field to the south, which is, zoned R-1. Interstate 80 bound this property to the north.

We are also requesting annexation of the Gale Addition project at this time.

We look forward to working with your staff as this project moves forward. Please feel free to contact me if you have any further questions or comments.

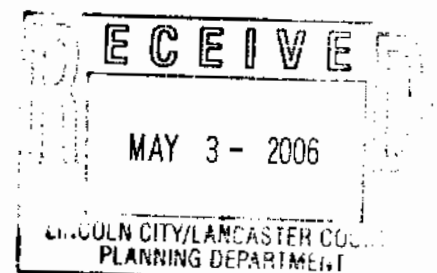
Sincerely,

A handwritten signature in black ink, appearing to read 'Matt Langston', with a long horizontal flourish extending to the right.

Matt Langston

CC. Mike and Gale Poe
DD.

ENCLOSURES: 24 copies of Sheet 1 of 5, 8 copies of Sheets 2-5 of 5
Applications for a Preliminary Plat
Certificate of Ownership
Application Fees of \$1,700.00
8-1/2" x 11" Reductions of the Plans



Memorandum

To: Tom Cajka, Planning Department
From: Chad Blahak, Public Works and Utilities
Subject: Gale Addition pp06007
Date: May 22, 2006
cc:

Engineering Services has reviewed the submitted plans for Gale Addition, located between North 9th and Morton Street, and has the following comments:

Sanitary Sewer – The sanitary system is satisfactory.

Water Mains – The water system is satisfactory.

Grading and Drainage – The following comments need to be addressed.

(3.1) The proposed detention cell is unsatisfactory. As shown on the plans the cell is located on the rear half of Lots 1 and 2 in the south east corner of the plat. This proposed location causes both safety issues and maintenance issues. The design for the proposed cell indicates 6-7 foot retaining walls on three sides. This poses a hazard for the future lot owners. The future maintenance would also be difficult to address with the cell being located on individual lots. The plans need to be revised showing the detention cell be located within an outlot owned by a home owners association that would be responsible for the maintenance. Also, if retaining walls of the height shown are necessary, the pond should be enclosed by a fence and locked gate to discourage activities near the dangerously high walls.

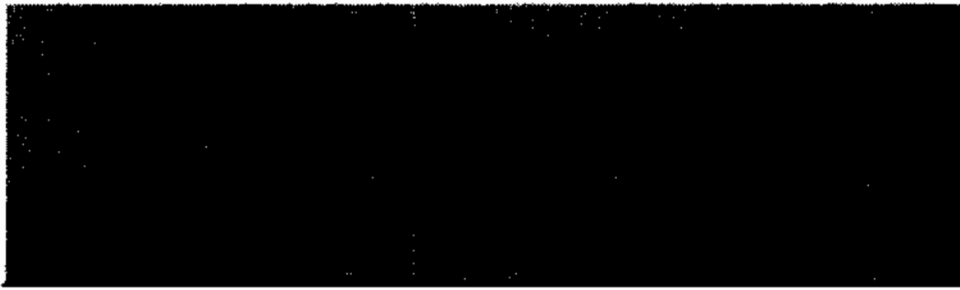
(3.2) The 18" storm sewer pipe that the proposed detention cell drains to was sized for the 5 year storm as required by design standards with the Pine Crest development to the east. It is not clear whether the cell was designed to over detain in order to utilize the existing 18" pipe to drain storm events greater than the 5 year storm. Storm routing information needs to be provided showing that the existing 18" pipe is adequate.

Streets/Paving – The street system is satisfactory.

General - The information shown on the preliminary plat relating to the public water main system, public sanitary sewer system, and public storm sewer system has been reviewed to determine if the sizing and general method providing service is satisfactory. Design considerations including, but not limited to, location of water main bends around curves and cul-de-sacs, connection of fire hydrants to the public main, temporary fire hydrant location, location

and number of sanitary sewer manholes, location and number of storm sewer inlets, location of storm sewer manholes and junction boxes, and the method of connection storm sewer inlets to the main system are not approved with this review. These and all other design considerations can only be approved at the time construction drawings are prepared and approved.

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Status of Review: Denied

05/04/2006 3:12:54 PM

Reviewed By 911

ANY

Comments: Strongly recommend the street type reflect this is NOT a through street and changed accordingly. i.e. Ct, Cir, Bay, etc.

Status of Review: Approved

Reviewed By Alltel

ANY

Comments:

Status of Review: Complete

Reviewed By Building & Safety

Terry Kathe

Comments:

Status of Review: Approved

05/08/2006 1:22:00 PM

Reviewed By Building & Safety

BOB FIEDLER

Comments: approved

Status of Review: Approved

05/12/2006 3:34:03 PM

Reviewed By Fire Department

ANY

Comments: We have no objections if the water supply to this area meets fire hydrant design standards in this addition.

Status of Review: Approved

05/15/2006 3:07:27 PM

Reviewed By Health Department

ANY

Comments: LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT
INTER-OFFICE COMMUNICATION

TO: Tom Cajka DATE: May 15, 2006

DEPARTMENT: Planning FROM: Chris Schroeder
ATTENTION: DEPARTMENT: Health

CARBONS TO: EH File SUBJECT: Gale Addition
EH Administration AN #06010 PP #06007
0000000000

The Lincoln-Lancaster County Health Department (LLCHD) has reviewed the proposed development with the following noted:

The LLCHD notes the proposed development is located in close proximity to Interstate 80. The LLCHD advises that the Nebraska Department of Roads I-80 Upgrade Draft Environmental Assessment be consulted relative to the predicted noise contours for this area. This noise contour data should be used along with referencing LMC 8.24 Noise Control Ordinance for what are acceptable residential zoning noise standards to establish an appropriate buffer that will protect future residential populations from Interstate 80 noise pollution. The submitted documentation with the application does not include language regarding possible noise abatement strategies to address interstate noise.

The LLCHD encourages the applicant to take advantage of creative site design to provide additional separation from interstate 80 with the possibility for the construction of earthen berms. Earthen berms are an effective means to help attenuate interstate 80 noise.

Storm water structure(s) and drainage way(s) must be designed, constructed, and maintained to minimize the harborage and breeding of mosquitos.

All wind and water erosion must be controlled during construction. The Lower Platte South Natural Resources District should be contacted for guidance in this matter.

During the construction process, the land owner(s) will be responsible for controlling off-site dust emissions in accordance with Lincoln-Lancaster County Air Pollution Regulations and Standards Article 2 Section 32. Dust control measures shall include, but not limited to application of water to roads, driveways, parking lots on site, site frontage and any adjacent business or residential frontage. Planting and maintenance of ground cover will also be incorporated as necessary.

Status of Review: Active

Reviewed By Law Department

ANY

Comments:

Status of Review: Active

Reviewed By Lincoln Electric System

ANY

Comments:

Status of Review: Active

Reviewed By Lincoln Police Department

ANY

Comments:

Status of Review: Active

Reviewed By Nebraska Department of Roads

ANY

Comments:

Status of Review: Approved

05/17/2006 11:45:24 AM

Reviewed By Parks & Recreation

ANY

Comments: 1. Contact the Forestry Department at 441-7036 for the assignment of Street Trees.
2. Screening needs to be added along the portion of the property adjacent to I-80.

Status of Review: Complete

Reviewed By Planning Department

RAY HILL

Comments:

Status of Review: Routed

Reviewed By Planning Department

COUNTER

Comments:

Status of Review: Active

Reviewed By Planning Department

TOM CAJKA

Comments:

Status of Review: Active

Reviewed By Public Works - Development Services

ANY

Comments:

Status of Review: Active

Reviewed By Public Works - Long Range Planning

ANY

Comments:

INTER-DEPARTMENT COMMUNICATION



DATE May 12, 2006

TO: Tom Cajka, City Planning

FROM: Sharon Theobald (Ext. 7640) *ST*

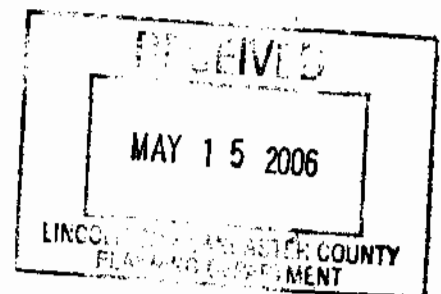
SUBJECT: DEDICATED EASEMENTS
DN #52N-9E

AN#06010
PP#06007

Attached is the Preliminary Plat for Gale Addition.

In reviewing the dedicated transmission line or other electrical easements shown on this plat, LES does not warrant, nor accept responsibility for the accuracy of any such dedicated easements.

ALLTEL, Time Warner Cable, and the Lincoln Electric System will require the additional easements marked in red on the map.



ST/ss
Attachment
c: Terry Wiebke
Easement File